



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Millmer et al.**

Serial No. : 09/825,414

Cnfrm. No. : 2043

Filed : April 3, 2001

For : DNA MOLECULES AND POLYPEPTIDES OF *PSEUDOMONAS SYRINGAE*
HRP PATHOGENICITY ISLAND AND THEIR USES

TRANSMITTAL LETTER

Assistant Commissioner For Patents
Washington, D.C. 20231
Box: Missing Parts

Dear Sir:

In response to the Notice to File Missing Parts of Application Under 37 CFR 1.53(b), which was mailed by the United States Patent and Trademark Office on **May 29, 2001**, enclosed are:

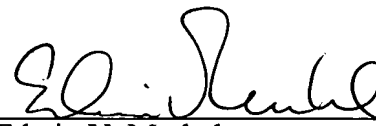
- ☒ Three Combined Declaration and Power of Attorney forms.
- ☒ Applicants claim small entity status. (See 37 CFR 1.27.)
- ☐ A Request for Corrected Filing Receipt and Copy of Official Filing Receipt.
- ☒ A copy of the Notice to File Missing Parts.
- ☒ A self-addressed, prepaid postcard for acknowledging receipt.
- ☒ Fees as calculated below:


FEE FOR (ONE, TWO OR THREE)-MONTH EXTENSION OF TIME	\$
SURCHARGE 37 CFR 1.16(e)	\$65.00
ADDITIONAL FEES	\$
TOTAL FEES SUBMITTED HERewith	\$65.00

- ☒ A check in the amount of **\$65.00** to cover the above fees.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 14-1138. A duplicate copy of this sheet is enclosed.

Date: July 10, 2001

Nixon Peabody LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (716) 263-1128
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Edwin V. Merkel
Registration No. 40,087

Certificate of Mailing - 37 CFR 1.8 (a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below.	
7/10/01 Date	 Wendy L. Harrold

COMBINED DECLARATION FOR PATENT
APPLICATION AND POWER OF ATTORNEY
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER
19603/3243 (CRF D-2601C)

As a below named inventor, I hereby declare that:

My residence, postal office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**DNA MOLECULES AND POLYPEPTIDES OF *PSEUDOMONAS SYRINGAE* HRP PATHOGENICITY ISLAND AND
THEIR USES**

the specification of which (check only one item below):

☐ is attached hereto.

☒ was filed as U.S. Patent Application Serial No. 09/825,414 on April 3, 2001 and was amended on _____
(if applicable).

☐ was filed as PCT International Application Number _____ on _____ and was amended under PCT Article 19
on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

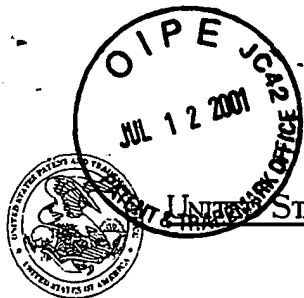
I hereby claim priority benefits under Title 35, United States Code, § 119 of any application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States listed below and have also identified below any application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (IF PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
United States	60/194,160	03-APRIL-2000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
United States	60/224,604	11-AUG-2000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
United States	60/249,548	17-NOV-2000	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/825,414	04/03/2001	Alan Collmer	19603/3243 (CRF D-2601C)

CONFIRMATION NO. 2043

FORMALITIES LETTER



OC00000006121704

Michael L. Goldman
NIXON PEABODY LLP
Clinton Square
P.O. Box 31051
Rochester, NY 14603

Date Mailed: 05/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

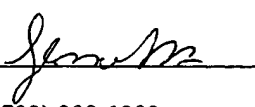
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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